

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

NORTHWEST ADMINISTRATORS, INC.,

Plaintiff,

v.

JMR TRUCKING INC., a Washington  
corporation,

Defendant.

CASE NO. C20-0867-JCC

ORDER

This matter comes before the Court on Plaintiff's motion for entry of default judgment (Dkt. No. 8). Having thoroughly considered the motion and the relevant record, the Court FINDS as follows:

1. Plaintiff properly served Defendant on June 28, 2020, (Dkt. No. 5);
2. The Clerk entered an order of default against Defendant on July 31, 2020, (Dkt. No. 7);
3. Defendant has failed to appear or otherwise defend in this action;
4. This action is properly within the jurisdiction of the Court and venue is proper; and
5. The factors set forth in *Eitel v. McCool*, 782 F.2d 1470, 1471–72 (9th Cir. 1986), support granting default judgment in Plaintiff's favor.

Accordingly, the Court hereby GRANTS Plaintiff's motion for entry of default judgment (Dkt. No. 8). The Court further FINDS and ORDERS as follows:

- 1 1. Plaintiff is the authorized administrative agent for and assignee of the Western  
2 Conference of Teamsters Pension Trust Fund and the Washington Teamsters Welfare  
3 Trust Fund (“Trusts”). (*See* Dkt. No. 9 at 3.)
- 4 2. Defendant has contractual obligations to promptly and fully report for and pay  
5 contributions to the Trusts on behalf of each of its employees who are members of the  
6 bargaining unit represented by Local 174 of the International Brotherhood of Teamsters.  
7 (*See* Dkt. Nos. 8 at 3; 9-1 at 2–18.)
- 8 3. Defendant specifically accepted the Trusts’ trust agreements and thereby agreed to pay  
9 the Trusts liquidated damages equal to twenty percent of all delinquent and delinquently  
10 paid contributions; interest at varying rates accruing on the delinquent contributions from  
11 the due date until fully paid; and attorney fees and costs which Plaintiff incurs in the  
12 collection of Defendant’s unpaid obligations. (*See* Dkt. Nos. 8 at 3–4; 8-1 at 4; 9 at 3–4;  
13 9-1 at 34, 76.)
- 14 4. Defendant failed to pay all contributions due for the period of June 1, 2014 through  
15 December 31, 2018. (*See* Dkt. Nos. 8 at 4; 9 at 5–6; 9-1 at 88–97, 99–112.)
- 16 5. Plaintiff is entitled to an award of attorney fees and costs, and Plaintiff’s request for  
17 \$892.65 in attorney fees is reasonable.
- 18 6. Plaintiff is AWARDED judgment against Defendant in the amount \$35,479.06,  
19 consisting of:
  - 20 a. \$21,315.05 in contributions;
  - 21 b. \$7,485.66 in liquidated damages;
  - 22 c. \$5,700.70 in pre-judgment interest;
  - 23 d. \$892.65 in attorney fees; and
  - 24 e. \$485.00 in costs.
- 25 7. Plaintiff is also awarded post-judgment interest on unpaid contributions at a rate of five  
26 percent (5%) per annum.

1 8. The Clerk is DIRECTED to close this case.

2 DATED this 7th day of October 2020.

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6 John C. Coughenour  
7 UNITED STATES DISTRICT JUDGE  
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